

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

**LaSalle Bank National Association, as
Trustee for certificateholders of Bear
Stearns Asset Backed Securities I LLC
Asset Backed Certificates, Series 2005-HE1**

Plaintiff,

vs.

**William Appleton, aka William R.
Appleton, et al.**

Defendants.

Case No. 1:07-cv-00175

Judge Sandra S Beckwith

**ORDER OF CONFIRMATION OF
SALE AND DISTRIBUTION**

2008 MAY 29 AM 11:35
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U.S. DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
CINCINNATI, OHIO
FILED
CLERK

This action is before the Court upon the Notice of Deposit of Foreclosure Sale filed by the Special Master with respect to the property commonly known as 2370 Madison Rd (W 3a), Cincinnati, OH 45208, parcel no. 042-0006-0129-00 (the "Property"). The legal description of the Property is attached to this order as Exhibit A, which is incorporated herein by reference.

1. Consistent with section 3.12 of General Order No. 07-03 and section 2329.34 of the Ohio Revised Code, the Court finds that a special reason exists why a county sheriff or the United States Marshal's Office cannot conduct the sale.
2. The Property was sold by the Special Master on May 8, 2008 to LaSalle Bank National Association, as Trustee for certificateholders of Bear Stearns Asset Backed Securities I LLC Asset Backed Certificates, Series 2005-HE1 for the following amount: \$86,666.67.
3. Having carefully examined the proceedings of the officer, the Court finds that the sale of the Property conformed in all respects to the law and the prior orders of this Court and hereby confirms and approves the sale of the Property and these proceedings.
4. The Special Master, within 5 days of the date of this Entry, shall convey the Property to LaSalle Bank National Association, as Trustee for certificateholders of Bear Stearns

Asset Backed Securities I LLC Asset Backed Certificates, Series 2005-HE1 by deed according to law free and clear of all liens and encumbrances and shall issue the deed in the following name: LaSalle Bank National Association, as Trustee for certificateholders of Bear Stearns Asset Backed Securities I LLC Asset Backed Certificates, Series 2005-HE1.

5. The tax mailing address of the purchaser of the Property is as follows: c/o EMC Mortgage Corporation, 909 Hidden Ridge Drive, Suite 200, Irving, Texas 75038.
6. The prior deed reference with respect to the Property is as follows: Deed dated July 30, 2004, filed August 5, 2004, recorded in Official Records Volume 9693, Page 1005, Recorder's Office, Hamilton County, Ohio.
7. The purchaser of the Property is hereby subrogated to the rights of the mortgagees and lien holders in the Property to the extent necessary to protect the purchaser's title to the Property.
8. The Court hereby grants the purchaser of the Property a writ of possession to put the purchaser in possession of the Property.
9. The Court hereby orders the release of all mortgages and liens held by all parties to this action. As a result, upon recording of a certified copy of this Order in the office of the Hamilton County Recorder, each of the mortgages and liens listed on Exhibit B, which is attached to this Order and incorporated herein by reference, shall be ordered released by operation of law. Such mortgages and liens shall be released only to the extent that they encumber the property foreclosed upon in this action and not to the extent that they encumber any other property.
10. Because LaSalle Bank National Association, as Trustee for certificateholders of Bear Stearns Asset Backed Securities I LLC Asset Backed Certificates, Series 2005-HE1 holds

a valid and subsisting mortgage on the Property, it need not pay the full amount of the purchase price to the Special Master. Instead, the bid of LaSalle Bank National Association, as Trustee for certificateholders of Bear Stearns Asset Backed Securities I LLC Asset Backed Certificates, Series 2005-HE1 shall be credited against the amount of the judgment previously entered in its favor. Plaintiff is further ordered to pay the following:

- a. To the County Treasurer, \$0.00 for taxes and assessments due on the Property as represented by tax bill attached as Exhibit C.
11. The following amount shall be applied toward the amount of the judgment previously entered in favor of the Plaintiff: \$86,666.67.
12. The Clerk is hereby ordered to distribute \$500.00 to the Special Master from the amount placed on deposit by the Plaintiff.
13. Having distributed payment for the appraisals in accordance with section 3.12 of General Order 07-03, the Clerk is hereby ordered to return the balance of the deposit, \$550.00, plus accrued interest, if any, to the Plaintiff.

IT IS SO ORDERED.



Judge Sandra S. Beckwith
United States District Court Judge

Approved:

/s/ Kevin L. Williams
Kevin L. Williams (0061656)
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